

REMARKS

Claims 1-4, 6, 9, 11, 15-19, 22-25, 27, 29-31, 33, 35, and 42 are pending in the application. Claims 7, 8, 12-14, 20, 21, 26, 28, 32, 34, and 36-41 have been canceled without prejudice. Claims 1 and 42 have been amended. Support for the claim amendments can be found throughout the application, including the claims as originally filed. Importantly, no new matter has been added to the claims. Cancellation of and the amendment to the claims should not be construed to be an acquiescence to any of the rejections. The cancellation of and the amendments to the claims are being made solely to expedite the prosecution of the above-identified application. Applicants reserve the right to further prosecute the same or similar claims in subsequent patent applications claiming the benefit of priority to the instant application. 35 USC § 120.

Objection to the Claims

Claim 42 stands objected to as being a multiply dependent claim that does not depend on other claims in the alternative. Applicants respectfully traverse this objection. Claim 42 as amended depends on claims in the alternative form only.

Accordingly, Applicants request the withdrawal of the claim objection of claim 42.

Response to Rejections under 35 U.S.C. § 102(b)

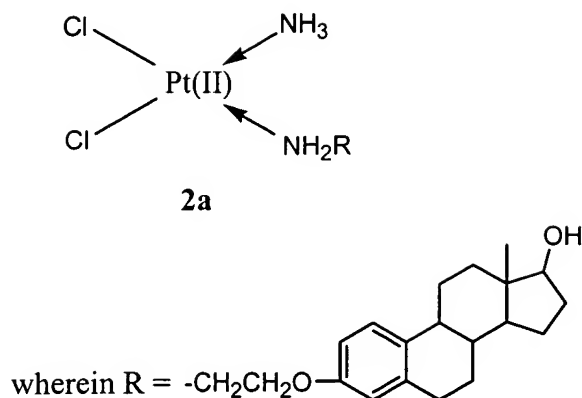
Altman et al. (J. Altman, et al., Inorg. Chem. (1991) 30, 4085-4088)

Claims 1, 3, 4, and 35 stand rejected under 35 U.S.C. § 102(b) based on the Examiner's contention that they are anticipated by Altman et al. (J. Altman, et al., Inorg. Chem. (1991) 30, 4085-4088). Applicants respectfully traverse this rejection.

Applicants submit that Altman et al. does not anticipate claims 1, 3, 4, and 35 because Altman et al. does not disclose a platinum(IV) metal center.

In order to anticipate a claim, a single source must contain all of the elements of the claim. See *Atlas Powder Co. v. E.I. du Pont De Nemours & Co.*, 750 F.2d 1569 (Fed. Cir. 1984).

Altman et al. discloses *cis*-[PtCl₂(NH₃)(am)] (compound 2a, *Preparation of Complexes*, page 4085), wherein "am" stands for 3-(2-aminoethoxy)estrone. This compound is pictured below:



Importantly, Altman et al. discloses a platinum(II) metal center and not a platinum(IV) metal center as claimed in claims 1, 3, 4, and 35 as amended. The platinum metal center in compound 2a is in a plus 2 oxidation state because each chloride atom oxidizes the platinum metal by one. Neither of the two amino groups, however, oxidize the platinum metal center further. The bond between the amino group and the metal center in each case consists of the two electrons from the amino nitrogen.

Because Altman et al. does not disclose platinum(IV) compounds, Applicants submit that Altman et al. does not disclose each element of the present claims. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 1, 3, 4, and 35 under 35 U.S.C. § 102(b) over Altman et al.

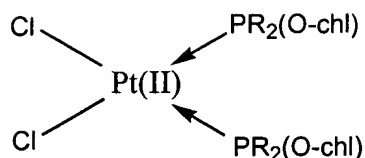
Berdague et al. (P. Berdague, et al., J. Chem. Soc. Chem. Commun. (1994) 1589-1590)

Claims 1, 3, 4, and 9 stand rejected under 35 U.S.C. § 102(b) based on the Examiner's contention that they are anticipated by Berdague et al. (P. Berdague, et al., J. Chem. Soc. Chem. Commun. (1994) 1589-1590). Applicants respectfully traverse this rejection.

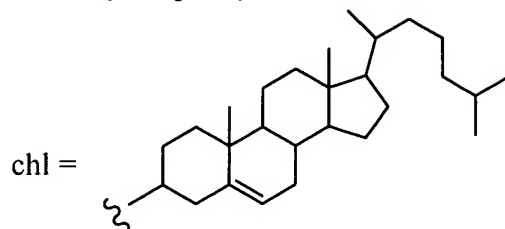
Applicants submit that Berdague et al. does not anticipate claims 1, 3, 4, and 9 because Altman et al. does not disclose a platinum(IV) metal center.

In order to anticipate a claim, a single source must contain all of the elements of the claim. See *Atlas Powder Co. v. E.I. du Pont De Nemours & Co.*, 750 F.2d 1569 (Fed. Cir. 1984).

Berdague et al. discloses $[\text{PtCl}_2\{\text{PR}_2(\text{O-chl})\}_2]$, pictured below, where R is ethyl or phenyl, and chl is cholesterol, a steroid.



wherein R = ethyl or phenyl, and



Importantly, Berdague et al. discloses a platinum(II) metal center and not a platinum(IV) metal center as claimed in claims 1, 3, 4, and 9 as amended. The platinum metal center is in a plus 2 oxidation state because each chloride atom oxidizes the platinum metal by one. Neither of the two phosphorous groups, however, oxidize the platinum metal center further. The bond between the phosphorous group and the metal center consists of the two electrons from the phosphorous atoms. Berdague et al. even refers to these two compounds as “platinum (II) compounds.” See page 1590, first paragraph.

Because Berdague et al. does not disclose platinum(IV) compounds, Applicants submit that Berdague et al. does not disclose each element of the present claims. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 1, 3, 4, and 9 under 35 U.S.C. § 102(b) over Berdague et al.

Allowable Subject Matter

Applicants thank Examiner Kosar for his indication that claims 2, 6, 11, 15-19, 22-25, 27, 29-31, and 33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants respectfully submit that base claim 1 as amended is allowable and that pending claims 1-4, 6, 9, 11, 15-19, 22-25, 27, 29-31, 33, 35, and 42 are in condition for allowance.

Fees

Applicants believe no fee is due in connection with the filing of this paper. Nevertheless, the Director is hereby authorized to charge any required fee to our Deposit Account, **06-1448**.

Conclusion

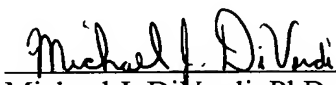
In view of the above amendments and remarks, Applicants believe that the pending claims are in condition for allowance. If a telephone conversation with Applicant's Agent would expedite prosecution of the application, the Examiner is urged to contact the undersigned.

Respectfully submitted,
Patent Group

Date: 8/9/06

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